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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/623,934	07/21/2003	Naomasa Takahashi	09812.0369-00000	6473
22852	7590	12/23/2008	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			TRAN, TUYETLIEN T	
		ART UNIT	PAPER NUMBER	
		2179		
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		12/23/2008	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/623,934	TAKAHASHI, NAOMASA	
	Examiner	Art Unit	
	TUYETLIEN T. TRAN	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 24 October 2008.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-9 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-9 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

1. This action is responsive to the following communication: Amendment filed 10/24/08.

This action is made final.

2. Claims 1-9 are pending in the case. Claims 1, 5 and 7 are independent claims.

Claim Objections

3. Applicant's amendment corrects the previous objection; therefore, the previous objection is withdrawn.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 5-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Santoro et al (Patent No. US 6724403 B1; hereinafter Santoro).**

As to claims 5 and 7, Santoro teaches:

A server and a distribution method of layout script text (e.g., see Fig. 24) comprising:

a script text storage unit for storing a plurality of script texts (e.g., see Fig. 24 and col. 13 lines 44-51; wherein preconfigured grids can be downloaded from the predetermined server; wherein the grids are defined as a document created in a markup language such as HTML,

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SGML or XML that are used to present simultaneous information content from a plurality of sources, see col. 10 lines 41-67, col. 13 lines 31-51; note the grids can be acquired from a server), containing at least a media element identification of visual media information to be input into an electronic equipment from one of a plurality of interfaces (e.g., see Figs. 5, 6 and col. 10 lines 41-67), an external source information of the media element (e.g., see Figs. 5, 6 and col. 10 lines 41-67), a display layout of said media element on said display screen (e.g., see Figs. 8-12), and an indication of a type of equipment connected to at least one of the plurality of interfaces (e.g., see Figs. 5, 6 and col. 9 lines 57-67 through col. 10 lines 1-10, col. 10 lines 41-67);

a recognition means for recognizing a characteristic of the electronic equipment (e.g., see Figs. 24-26, col. 22 lines 1-37);

a script text customizing means for customizing at least one of the plurality of script texts according to the characteristic of the electronic equipment (e.g., see Figs. 24-26, col. 22 lines 1-37); and

script text distribution means for reading a corresponding script text from the script text storage unit and distributing the customized script text to said electronic equipment through a network in response to a request from the electronic equipment as a client (e.g., see Figs. 24-26, col. 22 lines 1-37),

wherein the media element is input by one of said plurality of interfaces corresponding to said external source information at the electronic equipment (e.g., see Figs. 1, 2 and col. 4 lines 34-54; ports 108-1-108-N).

As to claims 6 and 8, Santoro teaches the characteristic of the electronic equipment comprises at least one of display size information and interface information (e.g., the interface

information such as set-top box or personal computer or incoming bandwidth, see col. 22 lines 17-50).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 1, 3-4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Santoro in view of Mizutome et al (Pub. No. US 2002/0078447 A1; hereinafter Mizutome).**

As to claim 1, Santoro teaches:

An electronic equipment (e.g., see Fig. 2) comprising:
a display unit including a display screen (e.g., Fig. 2; display 110);
a plurality of interfaces for inputting visual media information from a plurality of external sources (e.g., see Fig. 2 and col. 4 lines 34-54; ports 108-1-108-N);
script text acquisition means for acquiring a plurality of script texts (e.g., the grids are defined as a document created in a markup language such as HTML, SGML or XML that are used to present simultaneous information content from a plurality of sources, see col. 10 lines 41-67, col. 13 lines 31-51; note the grids can be acquired from a server) containing at least a media element identification of the visual media information to be input from one of the interfaces (e.g., see Figs. 5, 6 and col. 10 lines 41-67), an external source information of the media element (e.g., see Figs. 5, 6 and col. 10 lines 41-67), a display layout of said media

element on said display screen (e.g., see Figs. 8-12), and an indication of a type of equipment connected to at least one of the plurality of interfaces (e.g., see Figs. 5, 6 and col. 9 lines 57-67 through col. 10 lines 1-10, col. 10 lines 41-67);

a script text storage unit for storing the plurality of script texts taken in by said script text acquisition means (e.g., see col. 12 lines 66-67 through col. 13 1-6, col. 13 lines 44-51 and Fig. 16);

script text selection means for selecting a layout from the plurality of script texts (e.g., see col. 13 lines 29-67 through col. 14 lines 1-24);

an interface selection means for identifying the external source of the media element based on the external source information contained in the layout selected by the layout selection means and selecting one of the plurality of interfaces corresponding to the identified external source to input the media element (e.g., see Figs. 1, 7-10; col. 10 lines 39-67); and

script process means for displaying the media element on the display screen in accordance with the display layout contained in the script text selected by the script text selection means (e.g., see Figs. 1, 7-10; col. 10 lines 39-67).

Although Santoro teaches the capability for the user to configure, download and update the layout on the fly (e.g., see col. 13 lines 28-31, lines 43-51, col. 14 lines 16-24), Santoro does not expressly teach script text presenting means for presenting layout options based on the plurality of script texts.

In the same field of endeavor of presenting plurality of information from a plurality of external sources (e.g., see Mizutome Fig. 1), Mizutome teaches an electronic equipment comprising a display unit and a plurality of interfaces for inputting media information from a plurality of external sources similar to that of Santoro (e.g., see Mizutome Fig. 1; display 114, interfaces 1A-1C, 117a, 117b as shown in Fig. 1). Mizutome teaches the equipment can

process information in markup language such as XML (e.g., see [0078]). Specifically, Mizutome teaches the equipment comprises a layout presenting means for presenting layout options based on the plurality of layouts (e.g., see Fig. 5, 13-15 and [0081], [0087], [0098], [0103]).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the electronic equipment as taught in Santoro to include the feature of presenting layout options based on the plurality of layouts as taught by Mizutome to be able to achieve the system that is able to provide the user options to select a preferred layout as claimed. One would have been motivated to make such a combination is to enhance video entertainment (e.g., see Mizutome [0010]).

As to claim 3, Santoro teaches selecting a desired script text and takes in said script text from a server for presenting said script text through a network (e.g., see col. 13 lines 43-51 and col. 22 lines 1-21).

As to claim 4, Santoro further teaches wherein the script text acquisition means selects a desired script text and takes in the script text from a detachably mountable storage medium which records the script text (e.g., see col. 5 lines 14-22).

As to claim 9, Santoro teaches at least one of the plurality of script texts is customized based on a characteristic of the electronic equipment (e.g., see col. 22 lines 1-50).

8. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Santoro in view of Mizutome further in view of Escobar et al (WO 01/39494 A1; hereinafter Escobar).

As to claim 2, Santoro and Mizutome teach the limitations of claim 1 for the same reasons as set forth in the rejection of claim 1 above. Santoro teaches the feature of receiving and displaying inputs from multiple broadcast channels and the feature of configuring the grid to

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display the channels of choice (e.g., col. 11 lines 15-32, col. 12 lines 50-65; col. 13 lines 54-67 through col. 14 lines 1-25). Therefore, it appears that Santoro teaches the features of inputting visual media information different from each other through a plurality of channels and including in the script text (e.g., the grid) information for defining the interface for inputting the media element and a channel of the interface. Even if it does not, implementing the limitations of the plurality of interfaces include a function of inputting visual media information different from each other through a plurality of channels and the script text includes information for defining said interface for inputting said media element and a channel of said interface (e.g., see Figs. 6A-7D and pages 7, 8). Accordingly, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to modify the electronic equipment as taught by Santoro and Mizutome to include the feature of virtual channels as taught by Escobar to achieve the claimed invention. One would have been motivated to make such a combination is to eliminate the need for viewers to distinguish between web content and TV content (e.g., see Escobar page 4, third paragraph).

Response to Arguments

9. Applicant's remarks filed on 10/24/08 have been fully considered but are not persuasive.

- a) Applicant argues with respect to claim 5 that the cited prior art of Santoro fails to disclose or teach the claimed script text storage unit (e.g., see Applicant's remark page 7, paragraph 4).

In response, the examiner respectfully disagrees. The prior art of Santoro clearly teaches a server comprising a script text storage unit for storing a plurality of script texts (e.g., see Fig. 24 and col. 13 lines 44-51; wherein preconfigured grids can be downloaded from the

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predetermined server). Santoro teaches the grids control the layout of the tiles; wherein different tiles can be associated with different contents from plurality of sources (e.g., Figs. 6, 7 and col. 10 lines 41-67). Santoro teaches the grids are documents created in a markup language such as HTML, SGML, or XML (e.g., col. 13 lines 31-51). Therefore, the preconfigured grids read on the claimed limitation of a plurality of script texts and consistent with the instant specification's definition of a script text because the instant specification states that wherein the layout script text defines a display region for visual medial information to be input (e.g., see Applicant's specification PGPub 2004/0017513 [0018]) and the layout script text is a markup language, SMIL which based on XML (e.g., see Applicant's specification PGPub 2004/0017513 [0047], [0048]). For at least these reasons, the examiner maintains the position that Santoro teaches a server comprising a script text storage unit for storing a plurality of script texts.

b) Applicant argues with respect to claim 5 that the cited prior art of Santoro fails to disclose or teach the limitation "at least a media element identification of visual media information to be input into an electronic equipment from a plurality of interfaces", "an external source information of the media element", and "a display layout of the media element on a display screen" (e.g., see Applicant's remark page 8, paragraph 2).

In response, the examiner respectfully disagrees. The prior art of Santoro clearly teaches script text containing at least a media element identification of visual media information to be input into an electronic equipment from one of a plurality of interfaces (e.g., see Figs. 5, 6 and col. 10 lines 41-67). Santoro teaches the grid comprises a matrix of tiles; wherein each tile is associated with different contents from a plurality of sources (e.g., see Fig. 7 and col. 4 lines 34-54, col. 10 lines 41-67) wherein the different contents can be television shows, Internet sites, live video streams, and any other form of analog signal (e.g., col. 4 lines 34-54). Santoro

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teaches visual media information is input into the electronic equipment from one of a plurality of interfaces including Cable Network (e.g., see Fig. 2 and col. 4 lines 34-50; ports 108-1-108-N).

Santoro teaches the plurality of sources can be analog signal, video/audio/text/graphics datastream (e.g., Fig. 2 and col. 4 lines 52-59). Santoro teaches the tile containing at least a media element identification of visual media information to be input into the electronic equipment from one of a plurality of interfaces (e.g., see Figs. 5-7 and col. 9 lines 57-67 through col. 10 lines 1-10, col. 10 lines 41-67; wherein the target address 504 is the location at which the file or application program associated with the tile can be found). Santoro teaches a display layout of the media element on a display screen (e.g., see Figs. 8-12 and col. 11 lines 63-67 through col. 12 lines 1 -12; wherein each tile is indexed by its position on the grid). Accordingly, the examiner maintains the position on this limitation, wherein the script text containing at least a media element identification of visual media information to be input into an electronic equipment from one of a plurality of interfaces, an external source information of the media element, a display layout of the media element on a display screen.

c) Applicant argues with respect to claim 5 that the cited prior art of Santoro fails to disclose or teach the limitation “an indication of a type of equipment connected to at least one of the plurality of interfaces” (e.g., see Applicant's remark page 8, paragraph 2).

In response, the examiner respectfully disagrees. The prior art of Santoro clearly teaches an indication of a type of equipment connected to at least one of the plurality of interfaces (e.g., see Figs. 5, 6 and col. 9 lines 57-67 through col. 10 lines 1-10, col. 10 lines 41-67). Santoro teaches the tile included in the grid comprises target sources that identify the location at which the file or application program associated with the tile can be found (e.g., see Figs. 5-7 and col. 9 lines 57-67 through col. 10 lines 1-10, col. 10 lines 41-67). Santoro teaches the grids can display a plurality of different contents from a plurality of sources such as

television shows, Internet Sites, live video streams, and any other form of analog signal (e.g., col. 4 lines 34-54). Therefore, if the tile provides the target address where Internet Sites or Television Shows is to be displayed, the type of equipment connected to at least one of the plurality of interfaces is also included because each content source is tied with what type of equipment it connects to (e.g., see Fig. 2 and col. 4 lines 34-50; ports 108-1-108-N).

Accordingly, the examiner maintains the position on this limitation.

- d) Applicant argues with respect to claim 5 that the cited prior art of Santoro fails to disclose or teach the limitation "customizing at least one of the plurality of script texts according to the characteristic of the electronic equipment" (e.g., see Applicant's remark page 9, paragraph 1).

In response, the examiner respectfully disagrees. The prior art of Santoro clearly teaches the tile-content that the server delivers can be customized according to the rendering device (e.g., col. 22 lines 16-21). Santoro further teaches the server can identify the client device type (i.e., set-top box or personal computer) (e.g., col. 22 lines 27-31). Santoro teaches the server retrieves grid settings specific to the user (e.g., col. 22 lines 27-31). Since the user identification is tied to the client device type (e.g., col. 22 lines 22-27), the server is, therefore, retrieves grid settings according to the characteristic of the electronic equipment.

- e) In response to applicant's argument with respect to claim 1 that the cited prior art of Santoro and Mizutome do not teach or suggest at least the claimed "script text acquisition means" and "interface selection means" (e.g., see Applicant's remark page 10), the examiner notes the combination of Santoro and Misutome teach the limitation of claim 1 as addressed supra.

Conclusion

THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. *In re Heck*, 699 F.2d 1331, 1332-33,216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting *In re Lemelson*, 397 F.2d 1006,1009, 158 USPQ 275,277 (CCPA 1968)).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TuyetLien (Lien) T. Tran whose telephone number is 571-270-1033. The examiner can normally be reached on Mon-Friday: 7:30 - 5:00, off on alternating Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/TuyetLien T Tran/

Examiner, Art Unit 2179

/Weilun Lo/

Supervisory Patent Examiner, Art Unit 2179